

3/17/15

10:35 A.m.

Chapter No. 354

15/SS26/R701

aj 1/6/15

SENATE BILL NO. 2229

Originated in Senate

Luzvia

Secretary

SENATE BILL NO. 2229

AN ACT TO REENACT SECTION 27-19-60, MISSISSIPPI CODE OF 1972, WHICH WAS REPEALED BY OPERATION OF LAW ON JULY 1, 2014, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO DENY REGISTRATION AND LICENSING OR REVOKE OR SUSPEND LICENSING OF COMMERCIAL MOTOR VEHICLES OPERATED BY CERTAIN PERSONS, AND TO AUTHORIZE THE REMOVAL OF LICENSE PLATES FROM COMMERCIAL MOTOR VEHICLES OF PERSONS WHO HAVE BEEN PROHIBITED FROM OPERATING BY A FEDERAL OR STATE AGENCY RESPONSIBLE FOR MOTOR CARRIER SAFETY; TO AMEND SECTION 27-19-65, MISSISSIPPI CODE OF 1972, TO MAKE IT UNLAWFUL TO WILLFULLY AND KNOWINGLY MAKE ANY FALSE STATEMENT OR REPRESENTATION ON THE REGISTRATION APPLICATION FOR A COMMERCIAL MOTOR VEHICLE IN ORDER TO CIRCUMVENT THE FEDERAL PROHIBITION FROM OPERATING IN INTERSTATE COMMERCE OR THE LAWS OF THE STATE OF MISSISSIPPI, OR TO ATTEMPT TO REGISTER A COMMERCIAL MOTOR VEHICLE ON BEHALF OF ANOTHER PERSON IN ORDER TO CIRCUMVENT THE FEDERAL PROHIBITION FROM OPERATING IN INTERSTATE COMMERCE OR THE LAWS OF THE STATE OF MISSISSIPPI; TO REENACT SECTION 27-19-90, MISSISSIPPI CODE OF 1972, WHICH WAS REPEALED BY OPERATION OF LAW ON JULY 1, 2014, TO PROVIDE CRIMINAL PENALTIES FOR ANY PERSON WHO WILLFULLY AND KNOWINGLY ALTERS, FORGES OR COUNTERFEITS ANY LICENSE PLATE, DECAL, PERMIT OR OTHER DOCUMENT REQUIRED FOR A COMMERCIAL MOTOR VEHICLE; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 27-19-60, Mississippi Code of 1972, which was repealed by operation of law on July 1, 2014, is reenacted as follows:

27-19-60. (1) The department may deny registration and licensing for commercial motor vehicles operated by any person who has been prohibited from operating by a federal or state agency responsible for motor carrier safety.

(2) Persons registering commercial motor vehicles shall provide the following information at the time of registration or renewal:

(a) Evidence indicating who is responsible for the safety fitness of the fleet or motor vehicle being registered;

(b) An updated Motor Carrier Identification Report, Form MCS-150, or updated safety certification as required;

(c) The U.S. Department of Transportation Number (USDOT#) of the motor carrier and of the fleet or vehicle owner, if different from the motor carrier; and

(d) The Taxpayer Identification Number (TIN) of the motor carrier and of the owner of the fleet or vehicle being registered.

(3) The department may deny registration and licensing for commercial motor vehicles operated by any person who fails to provide the information required by this section or by the provisions of the International Registration Plan (IRP).

(4) The department may revoke or suspend the registration of any commercial motor vehicle operated by any person who has been prohibited from operating by a federal or state agency responsible for motor carrier safety.

(5) The department, the Department of Public Safety or the Department of Transportation may remove the license plates from any commercial motor vehicle operated by any person who has been prohibited from operating by a federal or state agency responsible for motor carrier safety. Nothing in Chapter 509, Laws of 2009, shall pertain to any commercial vehicle that operates under a harvest permit.

SECTION 2. Section 27-19-65, Mississippi Code of 1972, is amended as follows:

27-19-65. (1) All applications for privilege licenses required under the provisions of this article shall be made in writing, and any person who shall willfully and knowingly make any false statement or representation in * * * the application shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than * * * One Hundred Dollars (\$100.00) or by imprisonment in the county jail, or by both * * *, in the discretion of the court.

(2) Any person who shall willfully and knowingly make any false statement or representation on the registration application for a commercial motor vehicle in order to circumvent the federal prohibition from operating in interstate commerce or the laws of the State of Mississippi, or who shall attempt to register a commercial motor vehicle on behalf of another person in order to circumvent the federal prohibition from operating in interstate commerce or the laws of the State of Mississippi, shall be guilty

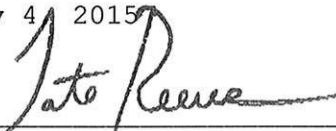
of a misdemeanor and, upon conviction, shall be punished by a fine of One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for not more than six (6) months, for a first offense, or by a fine of Two Thousand Dollars (\$2,000.00), or by imprisonment in the county jail of not less than six (6) months nor more than one (1) year, for any subsequent offense.

SECTION 3. Section 27-19-90, Mississippi Code of 1972, which was repealed by operation of law on July 1, 2014, is reenacted as follows:

27-19-90. Any person who willfully and knowingly alters, forges or counterfeits any license plate, decal, permit or other document required for a commercial motor vehicle under the provisions of this chapter shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of One Thousand Five Hundred Dollars (\$1,500.00) or by imprisonment in the county jail for a period of six (6) months, or both, and for any subsequent offense be subject to a fine of Two Thousand Five Hundred Dollars (\$2,500.00) or imprisonment in the county jail for a period of more than six (6) months but not exceeding one (1) year, or both.

SECTION 4. This act shall take effect and be in force from
and after its passage.

PASSED BY THE SENATE
February 4, 2015



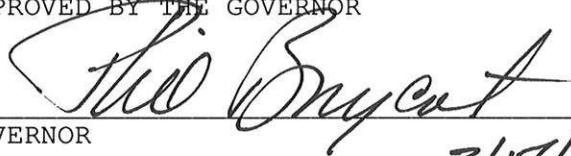
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 10, 2015



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

3/17/15
10:35 AM